AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A server computer protection apparatus for protecting a server computer against attacks, comprising:

a data request acceptance unit configured to accept data requests sent from client computers coupled to the server computer via the protection apparatus, as proxy for the server computer which is different and separate from the protection apparatus;

at least one request measurement unit configured to measure a number of data requests which have arrived from said client computers within a predetermined time period;

a response measurement unit configured to measure a number of responses which have been made from said server computer to said client computers within the predetermined time period;

at least one server load calculation unit configured to obtain a load state of said server computer by using measurements of said request measurement unit and said response measurement unit; and

a data request transfer unit configured to change a rate of the number of data requests based on the load state determined by said server load calculation unit[[.]],

wherein said server load calculation unit is configured to store said load state of said server computer;

wherein said server load calculation unit changes the value stored in accordance with a new load state of said server computer;

wherein, as said changed value exhibits a higher load, the rate of said number of the data requests which are to be transferred to said server computer is decreased by said data request transfer unit; and

wherein, as said changed value exhibits a lower load, the rate of said number of the data requests which are to be transferred to said server computer is increased by said data request transfer unit.

2. (Original) The server computer protection apparatus as set forth in claim 1, wherein said server load calculation unit determines the load state from at least the number of data requests which are to be transferred to said server computer within said predetermined time period, relative to the number of data requests which have been accepted by said data request acceptance unit within said predetermined time period.

3. (Original) The server computer protection apparatus as set forth in claim 2, wherein

in a case where said data request transfer unit has judged that a load of said server computer increases from said load state of said server computer as obtained by said server load calculation unit, the rate of said number of the data requests which are to be transferred to said server computer is decreased; and

in a case where said data request transfer unit has judged that the load of said server computer decreases, the rate of said number of the data requests which are to be transferred to said server computer is increased.

4. (Canceled)

5. (Previously Presented) The server computer protection apparatus as set forth in claim 2,

wherein the response measurement unit is configured to measure size of the responses made from said server computer to said client computer within said predetermined time period;

wherein said server load calculation unit determines the load state from the size of the responses made from said server computer and as the measured size of the responses increases, the load is calculated to be higher by said server load calculation unit.

6. (Previously Presented) The server computer protection apparatus as set forth in claim 2,

wherein said response measurement unit is configured to detect that the response from said server computer to said client computer has been resent;

wherein said server load calculation unit determines the load state from the detection, and, when said response measurement unit has detected a resending, the

load of said server computer which has resent said response to the data request of said client computer is calculated to have become higher by said server load calculation unit.

7. (Previously Presented) A server computer protection apparatus as set forth in claim 2,

wherein said data request acceptance unit is configured to detect if said client computer has been forcibly cut off and to detect if any abnormality in a communication state exists;

wherein the said server load calculation unit determines the load state from detected state and, when said data request acceptance unit has detected a forced cut off or an abnormal communication, the load of said server computer as corresponds to said client computer is calculated to have become higher by said server load calculation unit.

8. (Previously Presented) The server computer protection apparatus as set forth in claim 2,

wherein said response measurement unit is configured to detect a new connection from said client computer;

wherein said server load calculation unit determines the load state from the detected new connection and, when said response measurement unit has not detected a new connection within said predetermined time period, the load of said server computer as corresponds to said client computer is calculated by said server load calculation unit to have become lower.

9. (Currently Amended) A server computer protection method used in a protection apparatus for protecting a server computer, comprising:

accepting data requests sent from client computers coupled to the server computer via the protection apparatus, as proxy for the server computer which is different and separate from the protection apparatus;

measuring a number of data requests which have arrived from said client computers within a predetermined time period;

measuring a number of responses which have been made from said server computer to said client computers within the predetermined time period;

obtaining a load state of said server computer by using the number of the data requests and the number of the responses; and

changing a rate of the number of data requests based on the obtained load state[[.]];

changing a prestored value in accordance with the obtained load state of said server computer as corresponds to said client computer;

lowering the rate of said number of the data requests which are to be transferred to said server computer as the stored value exhibits a higher load; and

raising the rate of said number of the data requests as said stored value exhibits a lower load.

10. (Original) The server computer protection method as set forth in claim 9, wherein

obtaining the load state from at least the number of data requests which are to be transferred to said server computer within said predetermined time period, relative to the number of data requests which have been accepted within said predetermined time period.

11. (Original) The server computer protection method as set forth in claim 9, wherein changing the rate comprises:

lowering the rate of said number of the data requests which are to be transferred to said server computer when a load of said server computer has become higher than the obtained load state of said server computer; and

increasing the rate of said number of the data requests which are to be transferred to said server computer when a load of said server computer has become lower than the obtained load state of said server computer.

12. (Canceled)

13. (Original) The server computer protection method as set forth in claim 10, further comprising:

measuring the size of the responses made from said server computer to said client computer within said predetermined time period;

obtaining the load state based on the size of the responses made from said server computer; and

raising the rate of said number of the data requests as said stored value exhibits a lower load.

14. (Original) The server computer protection method as set forth in claim 10, further comprising:

detecting that the response from said server computer to said client computer has been resent; and

obtaining the load state based on the resent detection,

wherein, when the response is resent, the load of said server is increased.

15. (Original) A server computer protection method as set forth in claim 10, further comprising:

detecting if said client computer has been forcibly cut off and detecting if any abnormality in a communication state exists; and

obtaining the load state based on the detected communication state,

wherein, when the communication state is a forced cut off or an abnormal communication, the load of said server computer is increased.

16. (Original) The server computer protection method as set forth in claim 10, further comprising:

detecting a new connection from said client computer; and

obtaining the load state based on the detected new connection,

wherein, the load of said server decreases when a new connection is detected within said predetermined time period.

17-24. (Canceled)